

Criminal Misc. Case – 296 of 2026
C.N.R.No. - WBJP0108512026

Order No. 03 dated 24.03.2026

The application u/s 482 of B.N.S.S. filed by the accused-petitioner, namely, Sisir Biswas @ Sarkar, praying for anticipatory bail in connection with Kotwali P.S. Case No.91/2026 dated 22.02.2026 u/s-115(2)/118(1)/126(2)/ 3(5) & 303(2) of B.N.S., corresponding to PTN No.WBJP02P001189/2026, is taken up for hearing.

Ld. Lawyer for the accused-petitioner submitted that no bail petition has ever been filed in connection with this case before any higher Court on any earlier occasion and an affidavit has also been filed on behalf of the accused-petitioner in support of such contention by the Ld. Defence Lawyer and the Ld. P.P, Jalpaiguri conceded to the fact as submitted by the Ld. Defence lawyer.

Ld. Lawyer for the accused-petitioner has submitted that the present petitioner has been falsely implicated in this case out of personal grudge and vendetta. It has also been contended that there are case and counter case between the parties over the self same incident and other co-accused has already been granted bail by this court. Considering the present facts and circumstances, it is prayed that this accused-petitioner may be granted with anticipatory bail subject to any condition with a promise to cooperate with investigation.

Ld. Public Prosecutor, Jalpaiguri, opposed the prayer for anticipatory bail.

Heard the Ld. Lawyer for the accused-petitioner and the Ld. Public Prosecutor, Jalpaiguri.

Perused the application under Sec.482 of B.N.S.S., T.C.R and the C.D. Considered.

At the outset, I have mentioned that there is no pagination in the C.D.

Fact of the case, in short, is that, on 21.02.2026 at about 7-30 P.M. 7-45 P.M. the petitioner along with others came at the shop of the brother-in-law of the defacto complainant and vandalized and at that time when the victim tried to prevent the petitioners, he was assaulted by the petitioners. In this case other accused person has already been granted the benefit of sec.482 of BNSS. I find from the discharge certificate lying in the C.D. that the victim was admitted on 21.02.2026 and was discharged on 23.02.2026. In the discharge certificate there is only mention of physical assault but nature of injury to what extent of such injury was, has not been mentioned.

Considering the facts and circumstances of the case and the materials available in the C.D., I am inclined to allow the prayer for anticipatory bail filed u/s 482 of B.N.S.S. in respect of the present petitioners.

Hence, it is

ORDERED

that the instant anticipatory bail application filed u/s 482 of B.N.S.S. stands allowed.

Accordingly, this Court directs that in the event of arrest, the petitioner, namely, Sisir Biswas @ Sarkar , shall be released on bail upon furnishing a bond of Rs.3,000/- with two (2) sureties of Rs.1500/- each, subject to the satisfaction of the arresting officer, subject to the compliance of the condition as laid down in sub-section (2) of Section 482 of B.N.S.S. on condition that the accused-petitioner shall not make any threat, intimidation and otherwise influence the witnesses of this case.

Send a copy of this order along with T.C.R. to the Ld. C.J.M., Jalpaiguri, for information and taking necessary action.

Return C.D.

Thus, the Criminal Misc. case is disposed of.

Dictated & corrected by me,

Sessions Judge, Jalpaiguri
(in-charge)
(WB00710)

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(in-charge)
(WB00710)